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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/085,116	03/01/2002	Toru Mori	PF-2944/ NEC/US/mh	7223	
7590 08/07/2003 McGinn & Gibb, PLLC Suite 200 8321 Old Courthouse Road			•		
			EXAMINER		
			NGUYEN, CUONG QUANG		
Vienna, VA 2	2182-3817		ART UNIT	PAPER NUMBER	
			2811		
			DATE MAILED: 08/07/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    10/085,116			Application No.	Applicant(s)	CN					
## Examiner ## Cuong Q Nguyen ## 2811  ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of line may be available under the provisions of 3 °C FR 1.05(e), in no event, however, may a reply be limited to the provision of 3 °C FR 1.05(e), in no event, however, may a reply be limited of this communication. If the period for reply is pecified above, the maximum stabilitory period will apply and vivil expert SX (8) MONTHS from the mailing date of this communication of the period for reply is pecified above, the maximum stabilitory period will apply and vivil expert SX (8) MONTHS from the mailing date of this communication of the period for reply is pecified above, the maximum stabilitory period will apply and vivil expert SX (8) MONTHS from the mailing date of this communication are period to reply specified above, the maximum stabilitory period will apply and vivil expert SX (8) MONTHS from the mailing date of this communication. Any produce a replication is period to replicate the mailing date of this communication, even if trinsify field, may reduce a replication is produced to the communication. The proposed date the mailing date of this communication, even if trinsify field, may reduce a replication of Claims  4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1.20 (s/are pending in the application.  4a) Of the above daim(s) is/are are injected.  7) Claim(s) is/are are objected to by the Examiner.  10) The proposed drawing of the priodity documents for the priodity date of the priodity documents have been received in this national Stage application from the International Bureau (PCT Rule 17.2(a)).  **See the attached details offic	Office Action Summary		10/085,116	MORI ET AL.	<b>-</b> (					
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2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)  1-20 is/are pending in the application.  4a) Of the above claim(s)  is/are withdrawn from consideration.  5)  Claim(s)  is/are allowed.  6)  Claim(s)  is/are allowed.  7)  Claim(s)  is/are objected to.  8)  Claim(s)  is/are objected to.  8)  Claim(s)  is/are objected to by the Examiner.  10)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on  is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11)  The proposed drawing correction filed on  is: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12)  The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c) None of:  1.  Certified copies of the priority documents have been received in Application No.  application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a)  The translation of the foreign language provisional application has been received.  15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.		Personaliza to communication(s) filed on								
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## Election/Restriction

This application contains claims directed to the following patentably distinct species of the claimed invention:

Embodiment 1 described in Fig.1A to Fig.1D.

Embodiment 2 described in Fig.2A to Fig.2C.

Embodiment 3 described in Fig.3A to Fig.4.

Embodiment 4 described in Fig.5.

Embodiment 5 described in Fig.6 to Fig.7.

Embodiment 6 described in Fig. 10.

Embodiment 7 described in Fig.11.

Embodiment 8 described in Fig. 12.

These embodiments are not obvious from each other and they are considered as distinct inventions.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the Application/Control Number: 10/085,116

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limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Papers related to this application may be submitted to Technology center (TC) 2800 by facsimile transmission. Papers should be faxed to TC 2800 via the TC 2800 Fax center located in Crystal Plaza 4, room 4-C23. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Group 2811 Fax Center number is (703) 308-7722 and 308-7724. The Group 2811 Fax Center is to be used only for papers related to Group 2811 applications.

Any inquiry concerning this communication or any earlier communication from the Examiner should be directed to CUONG Q NGUYEN whose telephone number is (703) 308-1293. The Examiner is in the Office generally between the hours of 6:30 AM to 5:00 PM (Eastern Standard Time) Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor TOM THOMAS who can be reached on (703) 308-2772. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722 or 308-7724.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center Receptionists whose telephone number is 308-0956.

Cuong Nguyen

Primary examiner

8/6/03